

**UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS**

**Eric Travers, Michael Boudreau, Joseph  
Colella, Clifford Arpino, Michael  
Marini, and Rocco Marini**

**Plaintiffs,**

**v.**

**City of Newton, Massachusetts, and  
David B. Cohen, In His Capacity as  
Mayor of the City of Newton,  
Massachusetts**

**Defendants.**

**Civil Action No.**

**04-12635 RWZ**

**ASSENTED-TO MOTION TO ENLARGE TIME IN WHICH TO ANSWER,  
MOVE OR OTHERWISE PLEAD**

Defendants, City of Newton and David B. Cohen, In his capacity as Mayor of the City of Newton, Massachusetts (“Defendants”) respectfully request that this Court extend the time for filing a responsive pleading in the above-referenced matter until March 1, 2005. Counsel for Defendants conferred with counsel for the Plaintiffs, who assents to this motion.

WHEREFORE, for the foregoing reasons, Defendants respectfully requests the Court to grant their motion to extend time to March 1, 2005.

Date: February 15, 2005

Respectfully Submitted,

CITY OF NEWTON and DAVID B. COHEN

By their Attorneys,

/s/ Joseph P. McConnell

Keith H. McCown, Esq. (BBO# 329980)  
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**Certificate of Service**

I hereby certify that a copy of the foregoing Assented to Motion to Enlarge Time in Which To Answer, Move or Otherwise Plead was served upon Harold B. Lichten, Esq., Pyle, Rome, Lichten, Ehrenberg, & Liss-Riordan, P.C., 18 Tremont Street, Suite 500 Boston, MA 02111 and to Donnalyn B. Lynch Kahn, Esq., City of Newton, 1000 Commonwealth Ave., Newton Centre, MA 02459 by facsimile and first-class mail this 15<sup>th</sup> day of February 2005.

/s/ Joseph P. McConnell  
Joseph P. McConnell